

Entered - 11/02/00 - sb
CL00L0671 - DIANNE C. MITCHELL

01- *R*-0165

CLAIM OF: **CAPITOL INDEMNITY CORPORATION AS
SUBROGEE OF RAJA INDIAN RESTAURANT, INC.
P. O. Box 5900
Madison, WI 53705-0900**

For damages alleged to have been sustained as a result of a sewer back up
on April 15, 2000 at 2955 A-2 Peachtree Road, NE.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of
the Department of Law be approved in authorizing payment to **CAPITOL
INDEMNITY CORPORATION AS SUBROGEE OF RAJA INDIAN
RESTAURANT, INC.** the sum of **\$1,304.24** in full settlement and
satisfaction of all claims, past, present and future, of every kind and
character for damages alleged to have been sustained as a result of a sewer
back up on April 15, 2000 at 2955 A-2 Peachtree Road, NE as is more
particularly set forth in the within claim; said sum taken from and charged
to account 2J01/529017/T31001, Settlement of Suits and Claims,
Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

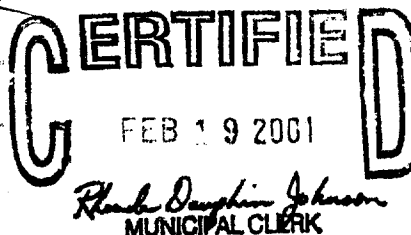
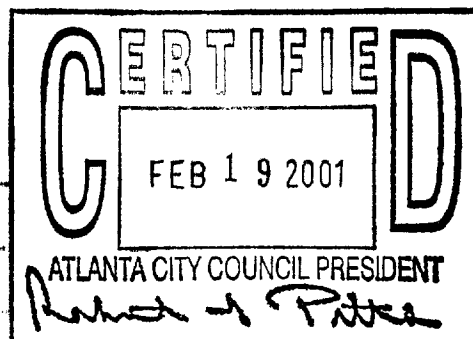
BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

CONSENT AGENDA

APPROVED

FEB 28 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW



ADOPTED BY
FEB 19 2001
COUNCIL

FOR COORDINABLE REPORT
COM. *Public Safety*
DATE *2-13-01*
BY *C. T. Martin*
Michael Ford
Allyson



MUNICIPAL CLERK
ATLANTA, GEORGIA

01-R-0165

A RESOLUTION

BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Capitol Indemnity Corporation as subrogee of Raja Indian Restaurant, Inc.** in the sum of **\$1,304.24** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of **a sewer back up on April 15, 2000 at 2955 A-2 Peachtree Road, NE** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

FEB 19, 2001

FEB 28, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0671

Date: January 30, 2000

Claimant /Victim CAPITOL INDEMNITY CORPORATION AS SUBROGEE OF RAJA INDIAN RESTAURANT, INC.

BY: (Atty) (Ins. Co.) _____

Address: P. O. Box 5900, Madison, WI 53705-0900

Subrogation: X Claim for Property damage \$ 1,304.24 Bodily Injury \$ _____

Date of Notice: 04/20/00 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 04/15/00 Place: 2955 A-2 Peachtree Road, NE

Department Public Works Division: Sewer Operations

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant's property was damaged due to a sewer back up. The City discovered a broken sewer main line on April 1, 2000 after an occupant in same building as the claimant suffered a sewer back up. However, the claimant sustained damages to its property from another sewer back up before the City could complete the repairs to the sewer line.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 1,304.24 Adverse _____ Account charged: 1A01 _____ 2J01 X 2H01 _____

Claims Manager:  Concur/date 01-30-00

Committee Action: _____ Council Action _____



RCS# 2621
2/19/01
3:24 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1 thru 13

ADOPT

SEE ATTACHED LISTING OF ITEMS
ADOPTED/ADVERSED ON
CONSENT AGENDA

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-0223
01-R-0184

CONSENT

**ITEMS ADOPTED ON CONSENT
AGENDA**

1. 00-O-1619
2. 00-O-2073
3. 01-O-0112
4. 01-O-0069
5. 01-O-0072
6. 01-O-0211
7. 01-O-0213
8. 01-O-0121
9. 01-O-0151
10. 01-O-0098
11. 01-O-0075
12. 01-R-0226
13. 01-R-0191
14. 01-R-0192
15. 01-R-0076
16. 01-R-0194
17. 01-R-0215
18. 01-R-0167
19. 01-R-0198
20. 01-R-0208
21. 01-R-0246
22. 01-R-0070
23. 01-R-0182
24. 01-R-0183
25. 01-R-0158
26. 01-R-0159
27. 01-R-0160
28. 01-R-0161
29. 01-R-0162
30. 01-R-0163
31. 01-R-0164
32. 01-R-0165
33. 01-R-0166

**ITEMS ADVERSE
ON CONSENT AGENDA**

34. 01-R-0169
 35. 01-R-0170
 36. 01-R-0171
 37. 01-R-0172
 38. 01-R-0173
 39. 01-R-0174
 40. 01-R-0175
 41. 01-R-0176
 42. 01-R-0177
 43. 01-R-0195
 44. 01-R-0196
 45. 01-R-0197
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